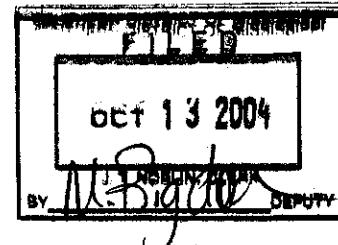


FORM TO BE USED BY PLAINTIFFS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

ABE JONES, JR. #65170

COMPLAINT



(Enter above the full name of the plaintiff or plaintiffs and prisoner number of each plaintiff in this action)

V.

CIVIL ACTION NUMBER:

2:04cv3849R
(to be completed by the Court)

ANTHONY J. BUCKLEY,
JAY L. JERNIGAN,
LARRY DYKES , ROGER WILLIAMS,

and GAYLON HARPER IN THEIR PERSONAL AND OFFICIAL CAPACITIES:

(Enter above the full name of the defendant or defendants in this action)

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

A. Have you ever filed any other lawsuits in a court of the United States? Yes () No (**XX**)

B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

1. Parties to the action: **N/A**
2. Court (if federal court, name the district; if state court, name the county): **N/A**
3. Docket Number: **N/A**
4. Name of judge to whom case was assigned: **N/A**
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): **N/A**

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: **ABE JONES, JR.** Prisoner Number: **65170**
 Address: **SMCI-II D1-33 P.O BOX 1419**
LEAKESVILLE, MISS. 39451

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: **HON. ANTHONY J. BUCKLEY** is employed as
Districe Attorney of Jones County, Mississippi at **501 5th Avenue**
Laurel, Miss. 39441

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF(S):

NAME: **ABE JONES, JR. #65170** ADDRESS: **SMCI-II D1-33 PO.BOX 1419 Leakesville, Miss. 39451**

DEFENDANT(S):

NAME: **Jay L Jernigan, Attorney at Law 631 N.Main St.Suite-D Hattiesbrug, Miss. 39401**
 ADDRESS: **LARRY DYKES, SHERIFF OF JONES CO. 419 Yates Avenue Laurel, Miss. 39441**
ROGER WILLIAMS, Commander of Southeast Miss. Drug Task Force
5223 HWY 84.W Laurel, Miss. 39441

NAME: **HON. GAYLON HARPER, County Judge 5170 HWY 11.N. Ellisville, Miss. 39437**

ADMINISTRATIVE REMEDIES PROGRAM

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes () No (XXX)

B. Are you presently incarcerated for a parole or probation violation?

Yes () No (XXX)

C. Did you present the facts relating to your complaint in the administrative or grievance procedure in your institution?

Yes () No (XXX)

1. If you answer to C is yes,

a. State the date your claims were presented: n/a

b. State how your claims were presented. (Written request, verbal request, request for forms)
n/a

c. State the result of that procedure. (You must attach a copy of the final result, such as a certificate from the administrator of the Administrative Remedies Program stating that you have exhausted your administrative remedies.)
n/a

2. If you have not filed a grievance, state the reasons: Plaintiff was not incarcerated at Beginning of this Incident, also Plaintiff know of no Administrative Remedies for This Type of Matter.

STATEMENT OF CLAIM

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

The 5th Amendment of the United States Constitution states that;

No person shall be held to answer for a Capital, or otherwise

Infamous crime, unless on A Presentment of Indictment of A Grand

Jury, Except in cases Arising in Actual Service in time of War

or Public Danger; Nor shall any person be subject for the same

offence to be twice put in Jeopardy of Life or limb; Nor shall

be compelled in any Criminal case to be A Witness Against Himself;

Nor be Deprived of Life, Liberty, or property, without Due Process

of Law; Nor shall private property be taken for public use, without

Just Compensation. (see Pages Attached herewith)

RELIEF

IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

(PLEASE SEE PAGE 4.N)

Signed this 7th day of Oct.

, 20 04

x Abe Jones Jr.

Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

10-7-04
(Date)

x Abe Jones Jr.

Signature of plaintiff(s)

4A.

The 14th Amendment of the United States Constitution States that;

Section 1. All person Born or Naturalized in the United States and subject to the Jurisdiction thereof, are Citizens of the United States and of the State wherein they Reside. No State shall make or Enforce Any Law which shall Abridge the Privileges or immunitiess of Citizens of the United States; **Nor shall Any State Deprive Any person of Life, Liberty, or property, without Due Process of Law, Nor Deny to Any person within its Jurisdiction the Equal Protection of the Laws.**

Plaintiff, Abe Jones, jr. and His Wife Etta Jones, Have Been Deprived of their property in violation of Due Process of Law as set out in the 5th and 14th Amendment of the United States Constitution.

On or About June 21, 2004 Plaintiff was deprived of the Below Listed Property Due to An Unauthorized and, False Agreed Order of Dismissal Entered in the County Court of the Second Judicial District Jones County, Mississippi Executed by Plaintiff's EX-Attorney the Hon. JAY L. JERNIGAN, Hon. ANTHONY J. BUCKLEY, Jones County District Attorney, Roger Williams, Commander of the southeast Mississippi Drug Task Force, Larry Dykes, Jones county Sheriff and, The Hon. Gaylon Harper, County Judge of Jones County, see EXHIBIT-A Herewith.

On or About April 18, 2002, the Following property was Seized From Plaintiff Pursuant to Section 41-29-153 of the Mississippi Code of 1972. By, the Jones county Sheriff's Department and, the Southeast Mississippi Drug Task Force(S.E.M.D.T.F.), To Wit;

(1). One 2001 Lincoln LL~~S~~ Vehicle, VIN#1LNHM87A51Y701314, Titled In the name of ABE JONES, jr. with A Lien in Favor of Miss. Title Loans Purchashed Value of Approximately \$42,365.00;

(2).One 2000 Pontiac Grand Am Vehicle,VIN# 1G2NF52TXYM853961,Titled in the Name of ABE JONES, jr. and, ETTA JONES, purchased Value of Approximately \$18,000.00;

(3). One Sanyo 19" Television Set,Value at Approximately \$75.00;

4B

- (4). One Gateway Computer and, Accessories, value at Approximately \$750.00;
- (5). One Epson Printer, value at Approximately \$75.00;
- (6). One Umax Scanner, Value at \$80.00;
- (7). One Allegro Video Cassette Recorder, Value at Approximately \$50.00
- (8). One GE D.V.D. Player, Value at Approximately \$175.00;
- (9). One Cannon Camcorder, Value at Approximately \$325.00;
- (10). One Mitsubitchi Camera, Value at Approximately \$500.00;
- (11).One Emerson CD and Cassette Player with Speakers, Value at Approximately \$80.00;
- (12). One Phillips 60" Television Set, Value at Approximately \$3,500.00;
- (13). One Kenwood CD Changer, with Surround Sound, Value at Approximately \$400.00;
- (14).One Kenwood Dual Cassette Deck, Value at Approximately \$200.00;
- (15). One Kenwood CD Changer, Value at Approximately \$325.00;
- (16). One Orion VCR, Value at Approximately \$ 45.00;
- (17). One Emerson 12" Television set, Value at \$70.00
- (18). Two Phillips Dual Cassette and CD player, Value \$300.00 (\$150.00 each);and,
- (19). \$1,838.00 In US Currency(cash):

This \$1,838.00 Cash is not listed On the Allege Agreed Order of Dismissal, See Exhibit-A. But, it is Listed on Notice of Seizure, Exhibit-B.1.

Also, not Li sted on the Agreed Order of Dismissal is.Two(2) Cambridge Speakers SN# SW00361382006602, See Notice of Seizure Exhibit-B.2. Plaintiff would like to,Also Call this Court's Attention to Exhibits- B.1 &B.2 and, point out the Fact that. The, Notice of Seizures or not Completely Filled out Properly..

4C.

This, matter Extends from the Arrest of Plaintiff, On Or About April 18, 2002. On A Charge of Sale of Crack Cocaine, A Controlled Substances.

On, the Day of Plaintiff's Arrest. The, Jones County Sheriff's Department and, the Southeast Mississippi Drug Task Force Executed A, Warrantless Search and, Seizure of Plaintiff and His Property. Plaintiff, was not shown A Warrant for His Arrest or, the Search of His, Home, Vehicles or, property. However, upon the Search of His Home, Vehicles or, Property, No, Drugs were found in or on Either Plaintiff Personal, Home or, Vehicles.

The, Jones County Sheriff's Department and, The Southeast Mississippi Drug Task Force However, Claim's that They Found, 5 pieces of Crack cocaine outside of Plaintiff's Home, down in the Sewerage System.

On or About May 17, 2002, A petition For Forfeiture of items Seized was filed with the Jones County Circuit Clerk Office by, Sherry L. Lowe, Assistant District Attorney for the Eighteenth Circuit Court District, see Exhibit-C..

Plaintiff, do not Have A Copy of this Alleged Petition For Forfeiture Of Items Seized. However, Plaintiff has Attempted on Two(2) Occasions To Attain copies of this Petition from, the Circuit Clerk Office Of Jones County, Mississippi. Plaintiff has had, His Family to go to the Clerk's Office and, Request copies of All Documents in the file under Cause No. 2002-211. The Only Documents That Plaintiff has been Able to Attain is. Copies of Three(3) Allege Subpoena Duces Tecum Filed under this Cause Number, see Exhibits-D, E, & F.

4D.

PLAINTIFF'S MOTHER, MRS. HILMA JONES who will be called to testify in this matter, will testify that she has on two (2) occasions gone to the Jones County Circuit Clerk's office and requested copies of all documents on file under cause no. 2002-211 and both times she was given, copies of Exhibits - C, D, E and F only. At no time has circuit clerk produced a copy of any petition for forfeiture of items seized.

ALSO, PLAINTIFF'S ATTORNEY in 2002 THE HON. DAVID RATCLIFF, was allegedly to have filed a petition contesting the forfeiture petition filed by the state and filed an answer to the petition.

Plaintiff, is unable to attach any copies of this petition contesting the forfeiture or answer to the petition for forfeiture of items seized.

Plaintiff, has no knowledge of any hearings being held on this matter on or about AUGUST 12, 2002 AS ALLEGED in the Subpoena Duces tecum, see Exhibits - D, E, and F. To Plaintiff's knowledge, there is no record of any hearings being held in this matter.

THE, Jones County Sheriff's Department and the Southeast Mississippi Drug Task Force, seized Plaintiff's property on or about APRIL 18, 2002, from, this time til this day. Plaintiff has no knowledge of any actions being taken in this matter until, on June 21, 2004 when the alleged agreed order of Dismissal was entered in this matter.

4E.

PLAINTIFFS AND ABOVE NOVEMBER 3, 2003, ENTERED A PLEA OF GUILTY ON ONE COUNT OF SALE OF CRACK COCAINE. PLAINTIFFS RECEIVED A SENTENCE OF 8, 18 YEARS WITH, 6-YEARS SUSPENDED, 10-YEARS TO SERVE AND, 5-YEARS POST RELEASE SUPERVISION.

PURSUANT TO THE, FORFEITURE LAWS OF THE STATE OF MISSISSIPPI. THE PROVISIONS OF SECTION 41-29-153 (C)(4), (C)(5)(J, K)(L)(M)(T). OF THE MISSISSIPPI CODE OF 1972 AS AMENDED STATES:

- (A). THE FOLLOWING ARE SUBJECT TO FORFEITURE;
- (B). ALL CONVEYANCES INCLUDING AIRCRAFT, VEHICLES OR VESSELS, WHICH ARE USED, OR INTENDED FOR USE TO TRANSPORT OR IN ANY MANNER, TO FACILITATE THE TRANSPORTATION, SALE, RECEIPT, POSSESSION OR CONCEALMENT OF PROPERTY DESCRIBED IN PARAGRAPH (1) OR (2) OF THIS SECTION; HOWEVER,
- (C). ALL MONEY, DEADLY WEAPONS, BOOKS, RECORDS AND RESEARCH PRODUCTS AND MATERIALS, INCLUDING FORMULAS, MICROFILM, TAPES AND DATA WHICH ARE USED OR INTENDED FOR USE, IN VIOLATION OF THIS ARTICLE;
- (D). EVERYTHING OF VALUE, INCLUDING REAL ESTATE, FURNISHED OR INTENDED TO BE FURNISHED, IN EXCHANGE FOR A CONTROLLED SUBSTANCE IN VIOLATION OF THIS ARTICLE. ALL PROCEEDS TRACEABLE TO SUCH AN EXCHANGE, AND ALL MONIES, NEGOTIABLE INSTRUMENTS, BUSINESSES OR BUSINESS INVESTMENTS, SECURITIES AND OTHER THINGS OF VALUE USED, OR INTENDED TO

4F

FACILITATE ANY VIOLATION OF THIS ARTICLE, ALL MONIES, COIN AND CURRENCY FOUND IN CLOSE PROXIMITY TO FORFEITABLE CONTROLLED SUBSTANCES, TO FORFEITABLE DRUG MANUFACTURING OR DISTRIBUTING PARAPHERNALIA, OR TO FORFEITABLE RECORDS OF THE IMPORTATION, MANUFACTURE OR DISTRIBUTION OF CONTROLLED SUBSTANCES ARE PRESUMED TO BE FORFEITABLE UNDER THIS PARAGRAPH; THE BURDEN OF PROOF IS UPON CLAIMANTS OF THE PROPERTY TO REBUT THIS PRESUMPTION.

UNDER THE LAWS OF THE STATE OF MISSISSIPPI, IN ORDER TO BE ENTITLED FORFEITURE OF CURRENCY, VEHICLES OR OTHER PROPERTY, THE STATE, MUST PROVE THAT IT IS MORE LIKELY THAN NOT THAT CURRENCY, VEHICLES AND OTHER PROPERTY, WAS POSSESSED BY PLAINTIFF WITH INTENT TO BE USED IN CONNECTION WITH ILLEGAL NARCOTICS TRAFFICKING SCHEME. MISS CODE ANN § 41-29-153 (a)(4), (a)(5), AND (a)(7).

ALSO, MISS. CODE ANN § 41-29-153 (b)(4), STATES THAT, (b). PROPERTY SUBJECT TO FORFEITURE MAY BE SEIZED BY THE BUREAU, LOCAL LAW ENFORCEMENT OFFICERS, ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, HIGHWAY PATROLMEN, THE BOARD, OR THE STATE BOARD OF PHARMACY UPON PROCESS ISSUED BY AN APPROPRIATE COURT HAVING JURISDICTION OVER THE PROPERTY. SEIZURE WITHOUT PROCESS MAY BE MADE AS;

46.

(4). THE BUREAU, LOCAL LAW ENFORCEMENT OFFICERS, ENFORCEMENT OFFICERS OF THE DEPARTMENT OF TRANSPORTATION, HIGHWAY PATROLMEN, THE BOARD OR THE STATE BOARD OF PHARMACY HAVE PROBABLE CAUSE TO BELIEVE THAT THE PROPERTY WAS USED OR IS INTENDED TO BE USED IN VIOLATION OF THIS ARTICLE. MCA § 41-29-153 C(4).

FN THE CASE AT BAR, IT IS A KNOWN FACT TO ALL DEFENDENTS, THAT PLAINTIFF'S PROPERTY PURSUANT TO THE LAW WAS NOT FORFEITABLE.

THE FORFEITURE STATUTES REQUIRE THAT, IN ORDER TO BE SUBJECT TO FORFEITURE, THE SEIZED PROPERTY BE USED OR INTENDED TO BE USED IN VIOLATION OF UNIFORM CONTROLLED SUBSTANCES LAW. THE STATUTES ALSO, REQUIRE THAT, BEFORE THE PROPERTY MAY BE SEIZED WITHOUT PROCESS, THE SEIZING OFFICER MUST HAVE "PROBABLE CAUSE" TO BELIEVE THE PROPERTY WAS USED OR INTENDED TO BE USED IN VIOLATION OF THE ARTICLE.

PLAINTIFF'S CURRY PLED TO THE SALE OF CRACK COCAINE WAS NOT PROBABLE CAUSE. STANDING ALONE, THE FACT THAT 5 PIECES OF CRACK COCAINE WAS ACCUSED TO HAVE BEEN FOUND OUTSIDE OF PLAINTIFF HOME IN THE SEWERAGE SYSTEM WAS NOT PROBABLE CAUSE.

FN, THE CASE AT BAR, PLAINTIFF COULD SHOW TO THIS COURT THE LEGITIMATE SOURCE OF HIS INCOME,

4H.

PLAINTIFF CAN SHOW TO THIS COURT THAT, IN 1999,
 PLAINTIFF HAD A INCOME FROM LEGAL GAMBLING
 Winnings OF APPROXIMATELY \$90,350.00, SEE EXHIBIT
 G1 - G3, WHICH OR MISSISSIPPI TAX RETURN RECORDS
 FILED BY JACKSON HEWITT TAX SERVICE, 910
 SAWMILL ROAD, LAUREL, MISS, 39004 Phone #.601-
 428-1062.

IN, 2000, PLAINTIFF CAN SHOW A LEGAL
 GAMBLING Winnings INCOME OF APPROXIMATELY
 \$103,900.00, SEE EXHIBIT - H.1 AND H.2.

IN, 2001, PLAINTIFF CAN SHOW A LEGAL
 GAMBLING Winnings INCOME OF APPROXIMATELY
 \$305,949.00, SEE EXHIBIT - I.1 - I.3.

THE, STATE CAN NOT SHOW THAT ANY OF PLAINTIFF'S
 PROPERTY SEIZED WAS FURNISHED TO ANY intend
 TO BE USE FOR THE MANUFACTURE, DISTRIBUTION ~~OR~~
 OF CONTROLLED SUBSTANCES, THE STATE CAN NOT
 ESTABLISH ANY CONNECTION BETWEEN THE PLAINTIFF'S
 PROPERTY OR ANY DRUGS OR DRUG TRAFFICKING.

PLAINTIFF WILL SHOW TO THIS HONORABLE COURT
 IN EXHIBIT - J, WHERE THE STATE THROUGH JONES COUNTY
 DISTRICT ATTORNEY ANTHONY J. BUCKLEY ATTEMPTED
 TO COERCE PLAINTIFF IN TO SIGN OVER HIS
 PROPERTY, IN ORDER TO GET CHARGES DISMISSED
 AGAINST PLAINTIFF'S SON, ANTHONY JONES. THIS
 LETTER EXHIBIT - J, FROM DISTRICT ATTORNEY ANTHONY
 J. BUCKLEY WAS TO PLAINTIFF'S EX-ATTORNEY JAMES L.
 JERNIGEN DATED MAY 18, 2004.

4F.

NOW, THE JONES COUNTY SHERIFF'S DEPARTMENT AND, THE SOUTHEAST MISSISSIPPI DRUG TASK FORCE SEIZED PLAINTIFF'S PROPERTY ON OR ABOUT APRIL 18, 2002, OVER TWO YEARS PASTED. STILL FORFEITURE HEARINGS HAD NOT BEEN HELD IN THIS MATTER. HAD THE STATE BEEN ABLE TO PROVE THAT PLAINTIFF'S PROPERTY WAS SUBJECT TO FORFEITURE, WHY WOULD THEY BE TRYING TO MAKE THIS KIND OF DEAL OVER 2 YEAR AFTER PROPERTY WAS SEIZED? BECAUSE, THEY KNEW THEY HAD NO CASE AGAINST PLAINTIFF'S PROPERTY.

CLOSE TO ONE MONTH, AFTER THIS LETTER WAS SENT TO PLAINTIFF'S EX-ATTORNEY JAY L. JERNIGAN, EXHIBIT - J. ON JUNE 21, 2004, ATTORNEY JAY L. JERNIGAN ENTERS A FORCED AGREED ORDER OF DISMISSAL, SEE EXHIBIT - A.

ATTORNEY JAY L. JERNIGAN, DID NOT HAVE PLAINTIFF'S AUTHORIZATION TO EXECUTE ANY AGREEMENTS OR ACT~~ED~~ AS AN AGENT FOR PLAINTIFF ON THIS MATTER.

ATTORNEY JAY L. JERNIGAN, NEVER TALKED TO PLAINTIFF CONCERNING THIS MATTER. NOR, DID ANYONE ELSE HAVING THE AUTHORITY TO DO SO, GIVE ATTORNEY JAY L. JERNIGAN THE AUTHORITY TO ENTER OR EXECUTE ANY TYPE OF AN AGREEMENT CONCERNING PLAINTIFF'S PROPERTY.

ON OR ABOUT SEPTEMBER 10, 2004, PLAINTIFF WROTE ATTORNEY JAY L. JERNIGAN CONCERNING THIS AGREED ORDER OF DISMISSAL ON, THE FORFEITURE OF PLAINTIFF'S PROPERTY.

H.J.

ON OR ABOUT SEPTEMBER 15, 2004, PLAINTIFF RECEIVED A LETTER FROM ATTORNEY JAV L. JERNIGAN CONCERNING THIS MATTER. SEE EXHIBIT-K.

ATTORNEY, JAV L. JERNIGAN WAS INFORMED BY PLAINTIFF'S MOTHER MRS. HILMA JONES OF PLAINTIFF'S WHEREABOUTS. STILL, ATTORNEY JAV L. JERNIGAN NEVER ONCE TRIED TO CONTACT PLAINTIFF HIMSELF.

ATTORNEY JAV L. JERNIGAN CLAIMS IN THIS ~~K~~ LETTER, EXHIBIT-K THAT,

PLAINTIFF FAILED TO CONTACT HIM TO LET HIM KNOW WHAT PLAINTIFF WANTED TO DO WITHIN THE TIME PERIOD ALLOWED BY THE DISTRICT ATTORNEY.

MRS. JAV L. JERNIGAN CLAIMS THAT HE CALLED PLAINTIFF MOTHER WHO INSTRUCTED HIM TO SIGN THE ORDER IN ORDER TO PREVENT PLAINTIFF'S SON FROM GOING TO JAIL, EXHIBIT-K.

HOWEVER, MRS. HILMA JONES, STATES IN HER AFFIDAVIT ENCLOSED HERE WITH EXHIBIT-L THAT SHE HAVE NO KNOWLEDGE OF ANYONE GIVING ATTORNEY JAV L. JERNIGAN THE AUTHORITY TO EXECUTE ANY ACTIONS OF A SETTLEMENT CONCERNING THE ITEMS OWN PROPERTY SEIZED FROM PLAINTIFF.

MRS. HILMA JONES ALSO STATES, THAT SHE HAVE NOT SIGNED OR ENTERED IN TO ANY TYPE OF AN AGREEMENT OR AUTHORIZED ATTORNEY JAV L. JERNIGAN TO ACT AS A AGENT ON BEHALF OF ABE JONES JR. (PLAINTIFF) TO PURCHASE ANY OF THE PROPERTY SEIZED. MRS. HILMA JONES WILL ALSO, TESTIFY TO THESE FACTS IN COURT.

4.R.

ALSO, EXHIBIT-M, IS AN AFFIDAVIT FROM PLAINTIFF'S WIFE, MRS. ETTA JONES. SHE, STATES THAT, SHE NEVER GAVE ATTORNEY JAY L. FERNICHA THE AUTHORITY OR SIGNED ANYTYPE OF AN AGREEMENT OR ORDER OF DISMISSAL NOR, DID SHE AGREE TO ATTORNEY JAY L. FERNICHA DOING SO ON HER BEHALF OR, THE BEHALF OF ABE JONE, JR. (PLAINTIFF). SEE EXHIBIT-M.

Therefore, THIS Honorable COURT CAN SEE THE VIOLATIONS OF PLAINTIFF'S 5TH AND 14TH AMENDMENTS RIGHTS. IN THIS CASE.

THIS Honorable court can also see the CONSPIRACY AND FRAUD BY DECEPTION ON THE PART OF THE DEFENDANTS TO DEPRIVE PLAINTIFF OF HIS PROPERTY WITHOUT THE DUE PROCESS OF THE LAW.

PURSUANT TO THE MISS. CODE ANN § 41-29-179(C), IT STATES THAT;

(U) EXCEPT AS OTHERWISE PROVIDED IN SECTION 41-29-176 AN OWNER OF PROPERTY, OTHER THAN A CONTROLLED SUBSTANCE, NEW MATERIAL OR PARAPHERNALIA THAT HAS BEEN SEIZED, SHALL FILE AN ANSWER WITHIN THIRTY (30) DAYS AFTER THE COMPLETION OF SERVICE OF PROCESS; IF AN ANSWER IS NOT FILED, THE COURT SHALL HEAR EVIDENCE THAT THE PROPERTY IS SUBJECT TO FORFEITURE AND FORFEIT THE PROPERTY TO THE MISSISSIPPI BUREAU OF NARCOTICS OR LOCAL LAW ENFORCEMENT AGENCY.

4.L.

if An Answer is FILED, A time for hearing
on Forfeiture shall be set within THIRTY
(30) DAYS OF FILED THE ANSWER, OR AT THE
SUCCEEDING TERM OF COURT, & COURT WOULD
NOT BE IN PROGRESS WITHIN THIRTY (30) DAYS.
After FILING the ANSWER, PROVIDED HOWEVER,
THAT UPON REQUEST BY THE BUREAU OF NARCOTICS
THE LOCAL LAW ENFORCEMENT AGENCY OR THE
OWNER OF THE PROPERTY, THE COURT MAY POSTPONE
SAID FORFEITURE HEARINGS TO A DATE PAST THE
TIME ANY CRIMINAL ACTION IS PENDING AGAINST
SAID OWNER.

PLAINTIFF, SUBMIT THAT HIS ATTORNEY AT THE TIME
OF MAY 17, 2002 WAS THE HON. DAVID RUTCLIFF. MAY 17,
2002 IS THE ALLEGED DATE THAT THE PETITION
FOR FORFEITURE OF ITEMS SEIZED WAS FILED
ACCORDING TO THE FILED DATE ON EXHIBIT-C.

FROM EXHIBITS-D, E, AND F, IT IS SHOWN THAT
AN ALLEGED HEARING WAS SUPPOSE TO HAVE TAKEN
PLACE ON OR ABOUT AUGUST 12, 2002 AT 9:00 AM
IN THE CITY OF LOUREL MISSISSIPPI.

PLAINTIFF WAS NEVER INFORMED OF THIS HEARING
OR HAVE NO KNOWLEDGE OF IN FACT THIS HEARING
TOOK PLACE CT ACC. NO. ONE CONTACTED PLAINTIFF
CONCERNED A HEARING ON AUGUST 12, 2002.

4m.

However, if this alleged hearing did take place, what was the outcome of it? If, the court had ruled in favor of the state. Why then in May 2004, there was still tried to get the plaintiff to sign over his property? This, makes no sense.

Also, the court is clear that, miss. code ann ~~§~~ 41-29-179 states that,

If an answer is filed at time for hearing on forfeiture, shall be set within thirty (30) days of filing the answer, or at the succeeding (comes next in order) term of court if court would not be in process within thirty (30) days after filing the answer.

Plaintiff, was not given a hearing thirty (30) day after the filing of the answer. Nor was there a hearing in the succeeding term of court to Plaintiff's knowledge.

Also, Exhibits - N.1 - N9 and Exhibits - O.1. - O.6 one more proof of Plaintiff's income from legal gambling whisks. These are only some of the 2001 and 2002 W-2G forms, from the Silver Star Hotel on Casino in Philadelphia, Mississippi.

Plaintiff's property, is not and was not accessible to any drug dealers or, manufacturing or distribution of drug or drug trafficking.

4.n.

THE AMOUNT OF CRACK COCAINE ALLEGED TO
have been FOUND IN THE SEWERAGE SYSTEM OUTSIDE
OF PLAINTIFF'S HOME, IS AN INSUFFICIENT AMOUNT
TO even SAY PLAINTIFF was A DRUG DEALER AT
ALL. CRACK SMOKERS ARE FOUND TO CARRY THIS.
AMOUNT AND MORE ON THEM PERSONAL EVERYDAY

REQUESTED RELIEF:

PLAINTIFF REQUEST THE RETURN OF ALL SEIZED
PROPERTY AS IT WAS THE DAY IT WAS SEIZED.
OR, PLAINTIFF SHALL BE COMPENSATED IN THE AMOUNT
OF ~~\$~~ 68,853.00 PLUS \$10,000.00 ~~plus~~
MORE FROM ATTORNEY JAMES L. JONES FOR THE
FEES PAID TO HIM SEE EXHIBIT-P.

PLAINTIFF'S HAS LOST PROPERTY VALUE AT
APPROXIMATELY, HOUSEHOLD ITEMS \$6,650.00;
U.S. CURRENCY \$1,838.00; 2-VEHICLE \$60,365.00
FOR A TOTAL OF \$68,853.00.

PLAINTIFF ALSO SEEKS PUNITIVE DAMAGES IN
THE AMOUNT OF \$157,704.00 FROM EACH DEFENDANTS
IN THEIR OFFICIAL AND PERSONAL CAPACITIES

FOR A TOTAL IN ALL OF APPROXIMATELY
\$1630,816.00 IN PUNITIVE PLUS \$68,853.00 IN COMPENSATION
WHICH WOULD COME TO \$1699,669.00.

And, ALL OTHER RELIEFS THIS COURT DEEMS JUST.

pro'se Abe Jones Jr.
ABE JONES, JR.

REQUEST TO PROCEED *IN FORMA PAUPERIS* AND
DECLARATION IN SUPPORT THEREOF

I, ABE JONES, Jr., am the plaintiff in the above entitled case and request leave to proceed without being required to prepay fees or costs or give security therefor. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefore, and that I believe I am entitled to redress.

I declare that the responses which I have made below are true.

1. Are you presently employed? Yes _____ No X
 - a. If the answer is yes, state the amount of your salary per month and give the name and address of your employer. _____

 - b. If the answer is no, state the date of last employment and the amount of the salary per month which you received. JULY 29, 2003 - NOV 3, 2003
ABOUT \$1,200.00 A MONTH
2. Have you received within the past twelve months any money from any of the following sources?
 - a. Business, profession, or form of self-employment? Yes _____ No X
 - b. Rent payments, interest, or dividends? Yes _____ No X
 - c. Pensions, annuities, or life insurance payments? Yes _____ No X
 - d. Gifts or inheritances? Yes _____ No X
 - e. Any other sources? Yes _____ No XIf the answer to any of the above is yes, describe each source of money and state the amount received from each during the past twelve months.

3. Do you own any cash or do you have money in a checking or savings account? Yes X
No _____ (Include any funds in prison accounts)
If the answer is yes, state the total value owned.
PRISON ACCOUNT \$45.91

4. Do you own any real estate, stocks, bonds, notes automobiles, or other valuable property (excluding household furnishings and clothing)? Yes _____ No X

If the answer is yes, describe the property and state its approximate value. _____

5. List the persons who are dependent upon you for support; state your relationship to those person; and indicate how much you contribute their support. NONE

I understand that a false statement or answer to any question in this declaration will subject me to penalties for perjury.

x Abe Jones Jr.
Signature of Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 20 day of September, 2004.

x Abe Jones Jr.
Signature of Plaintiff

Authorization for Release of Institutional Account Information and
Payment of the Filing Fee

I, Abe Jones Jr., 65170
(Name of Plaintiff) (MDOC Number)

authorize the Clerk of Court to obtain, from the agency having custody of my person, information about my institutional account, including balances, deposits and withdrawals. The Clerk of Court may obtain my account information from the past six months and in the future, until the filing fee is paid. I also authorize the agency having custody of my person to withdraw funds from my account and forward payments to the Clerk of Court, in accord with 28 U.S.C. Section 1915.

Abe Jones Jr.
(Signature of Plaintiff)

8/17/04
(Date)

IT IS PLAINTIFF'S RESPONSIBILITY TO HAVE THE APPROPRIATE PRISON OFFICIAL COMPLETE AND CERTIFY THE CERTIFICATE BELOW

CERTIFICATE TO BE COMPLETED BY AUTHORIZED OFFICER
(*Prisoner Accounts Only*)

I certify that the applicant named herein has the sum of \$ 4591 on account to his credit at the SMCI institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution:

I further certify that during the last six (6) months the plaintiff's average monthly balance was \$ 183 61.

I further certify that during the last six (6) months the plaintiff's average monthly deposit was \$ 65 92.

601-394-5600 ext 1023
TELEPHONE NUMBER OF
OFFICER FOR VERIFICATION

8-23-04
DATE

Dan Robertson
AUTHORIZED OFFICER OF INSTITUTION
Tammy Robertson
PRINT NAME OF AUTHORIZED OFFICER

RETURN COMPLETED FORM TO:
U. S. DISTRICT COURT
245 E. CAPITOL ST., ROOM 316
JACKSON, MS 39201

61/566

IN THE COUNTY COURT FOR THE SECOND JUDICIAL DISTRICT
OF JONES COUNTY, MISSISSIPPI

ABE JONES, JR and ETTA JONES

CLAIMANTS

VERSUS

CAUSE NO. 2002-211

JONES COUNTY SHERIFF'S DEPARTMENT and
THE SOUTHEAST MS DRUG TASK FORCE

RESPONDENTS

AGREED ORDER OF DISMISSAL

THIS DAY, this cause was brought before the Court by the Southeast Mississippi Drug Task Force and Abe Jones, Jr. and Etta Jones, by and through their attorney the Honorable Jay Jernigan, who represented that a settlement concerning the items seized has been achieved. Each party desires the terms of settlement to be ratified by the Court and incorporated into an order in this cause. The Court, after consideration, finds the parties are fully advised in the premises and that their settlement should be made an order of this cause.

1. The following items shall be forfeited to the Southeast Mississippi Drug Task Force, and they shall be adjudicated as the owners of those items to be used, or disposed of according to law:

- (1) One 2001 Lincoln LLS vehicle, VIN #1LNHM87A51Y701314, titled in the name of Abe Jones, Jr., with a lien in favor of Miss. Title Loans;
- (2) One 2000 Pontiac Grand Am vehicle, VIN #1G2NF52TXYM853961, titled in the names of Abe Jones, Jr. and Etta Jones;
- (3) One Sanyo 19" television set, valued at approx. \$75.00;
- (4) One Gateway Computer and accessories, valued at approx. #750.00;
- (5) One Epson Printer, valued at approximately \$75.00;
- (6) One UMAX Scanner, valued at approximately \$80.00;

FILED

JUN 21 2004

~~DARRYL ISHEE~~
CIRCUIT CLERK'S
JONES COUNTY, MS

61/567

- (7) One Allegro Video Cassette Recorder, valued at approx. \$50.00;
- (8) One GE D.V.D. Player, valued at approx. #175.00;
- (9) One Cannon Camcorder, valued at approx. \$325.00;
- (10) One Mitsubitchi Camera, valued at approx. \$500.00;
- (11) One Emerson CD and Cassette player, with speakers, valued at approx. \$80.00;
- (12) One Phillips 60" television set, valued at approx. \$3,500.00;
- (13) One Kenwood CD Changer with Surround Sound, valued at approx. \$400.00;
- (14) One Kenwood dual cassette deck, valued at approx. \$200.00;
- (15) One Kenwood CD Changer, valued at approx. \$325.00;
- (16) One Orion VCR, valued at approx. \$45.00;
- (17) One Emerson 12" television set, valued at approx. \$70.00;
- (18) Two Phillips Dual cassette & CD player, valued at approx. \$300.00 (\$150.00 each);

2. In consideration, the Southeast Mississippi Drug Task Force and the Jones County District Attorney's Office shall agree to Nolle Prosque the sale case against their son, Antwain Jones, in Cause #2003-171-KR2, and also because said case may be statutorily old, and because the informant may not be available to testify.

3. The Southeast Mississippi Drug Task Force, its director, all employees, agents, attorneys, or assigns are hereby held harmless for any action concerning the seizure of the afore stated property and shall be indemnified from any liability there under.

4. The settlement of this action is not an admission of criminal conduct on the part of Antwain Jones, Abe Jones, Jr. and Etta Jones.

GJW

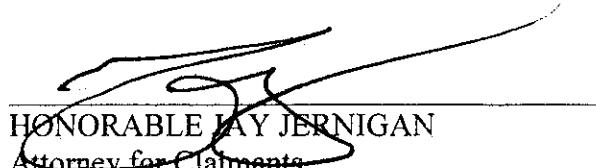
61 / 568

5. That each party is to bear its own respective costs for this action.

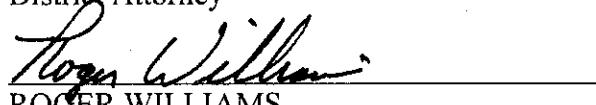
SO ORDERED AND ADJUDGED, this the 2 day of June, 2004.


John K.
COURT JUDGE

AGREED:


HONORABLE JAY JERNIGAN
Attorney for Claimants


HONORABLE ANTHONY J. BUCKLEY
District Attorney


ROGER WILLIAMS
Commander S.E.M.D.T.F.

b EXHIBIT - B-1

**SOUTHEAST MS DRUG TASK FORCE
NOTICE OF SEIZURE**

TO: ABE Jones JR.

(Name of person in possession at time of seizure)

This is to advise you that, pursuant to Section 41-29-153 of the Mississippi Code of 1972, as amended, the below listed items have been seized by the **Southeast Ms Drug Task Force**. It is anticipated that forfeiture proceedings will be filed against this property. Any questions regarding this seizure should be directed to the seizing agency.

Emerson CD & Cassette SN 804163791 N/2 speakers

Phillips Magnavox SN 57405800 60" TV

Phillips 3CD & Cassette player w/ 2 speakers
SN 60700055

Kennwood CD Changer with Surround Sound Speakers

Emerson TV SN 010-20714009

Kenwood Double Cassette Deck 51105961

Kenwood CD Changer SN 60742793

~~\$100~~ 1838 Dollars

ORION VCR

(Signature of seizing agent)

(Date)

It has been explained to me that the property listed above has been seized as provided by law and will be held by the seizing agency pending forfeiture. I (am) (am not) the owner of this seized property.

(Signature of person in possession at time of seizure)

(Date)

EXHIBIT- B-2**SOUTHEAST MS DRUG TASK FORCE
NOTICE OF SEIZURE**

TO: ABE Jones, SR
 (Name of person in possession at time of seizure)

This is to advise you that, pursuant to Section 41-29-153 of the Mississippi Code of 1972, as amended, the below listed items have been seized by the **Southeast Ms Drug Task Force**. It is anticipated that forfeiture proceedings will be filed against this property. Any questions regarding this seizure should be directed to the seizing agency.

Sanyo TV - SN B90302360694657

Gateway Monitor - SN DV15038AC9678

" Harddrive - SN 0023787828

UMAX Astra Scanner - SN HBI014D406615

GATEWAY Keypad SN 32910290

2-Cambridge Speakers SN SW00361382006602

Epson FAX machine SN CMR1549170

Allegro Dvd player VCR SN 087062118

GE DVDplayer SN 028530439

Cannon Camcorder SN E5290A
Mitsuba Camera SN

(Signature of seizing agent)

(Date)

It has been explained to me that the property listed above has been seized as provided by law and will be held by the seizing agency pending forfeiture. I (am) (am not) the owner of this seized property.

(Signature of person in possession at time of seizure)

(Date)

EXHIBIT-E

C. GRANT HEDGEPETH

DENNIS L. BISNETTE
ASSISTANT DISTRICT ATTORNEY

SHERRY L. LOWE
ASSISTANT DISTRICT ATTORNEY

District Attorney
Eighteenth Circuit Court District

P. O. BOX 313
LAUREL, MS 39441
TELEPHONE (601) 649-4606
FAX (601) 428-3191

May 17, 2002

Mr. Larry Ishee
Circuit Clerk of Jones County
P. O. Box 1336
Laurel, MS 39441

RE: Jones County Sheriff's Department and Southeast Miss.
Drug Task Force vs. Abe Jones, Jr. and Etta Jones

Dear Mr. Ishee:

Enclosed you will find the following:

1. **PETITION FOR FORFEITURE OF ITEMS SEIZED**, filed on behalf of Jones County Sheriff's Department and Southeast Mississippi Drug Task Force, which I would appreciate your filing and issuing process.
2. **SUMMONS** to Abe Jones, Jr., and Etta Jones with attached Petition and Interrogatories and Requests for Production of Documents;
3. **SUMMONS** to Stacey Saulpaw, Manager of Miss. Title Loans;
4. **CERTIFICATE OF SERVICE OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**.

I would very much appreciate your filing these documents, issuing the Summons and forwarding them to the Sheriff's Department for service on the Defendants.

If you have any questions, please do not hesitate to call me.

Sincerely,

Sherry L. Lowe
Sherry L. Lowe
Assistant District Attorney

MAY 17 2002

C

LARRY ISHEE
CIRCUIT CLERK
JONES COUNTY, MS

Enclosures

EXHIBIT - "D"

COPY

IN THE COUNTY COURT OF THE SECOND JUDICIAL DISTRICT
JONES COUNTY, MISSISSIPPI

JONES COUNTY SHERIFF'S DEPARTMENT
AND SOUTHEAST MISS. DRUG TASK FORCE

PLAINTIFF

vs.

CAUSE NO. 2002-211

ABE JONES, JR. and
ETTA JONES

DEFENDANTS

SUBPOENA DUCES TECUM

THE STATE OF MISSISSIPPI

TO: CUSTODIAN OF RECORDS
SILVER STAR HOTEL & CASINO
Pearl River Resort
Philadelphia, MS 39350

You are hereby commanded to be and appear in the County Courtroom of the County Court of the Second Judicial District of Jones County, in the City of Laurel, State of Mississippi on **August 12, 2002, at 9:00 A.M.**, of the said day, then and there to testify on behalf of the Plaintiffs what you may know in the above entitled matter, and TO HAVE WITH YOU THERE AND THEN the following:

1. A detailed itemization of the gaming history of Abe Jones, Jr. (Social Security #587-34-5613), for the years 1999, 2000, 2001, and 2002, with a breakdown of the following information:
 - (A) Dates of play and record of coins played And won or lost;
 - (B) For each date, the denomination of each slot Machine and the breakdown of the number of Coins played in each denomination;
 - (C) The number of player cards issued in the name Of Abe Jones, Jr.,
 - (D) Copies of all W-2G's given to Abe Jones, Jr. And/or Etta Jones (a/k/a Etta Blackwell), Social Security Number 587-45-4586) for the years 1999, 2000, 2001 and 2002.

COPY

2. An explanation of the manner in which the "coins in" And "coins out" listing are calculated. Such as:
 - (A) Does the "coins in" designation include any credits won on that machine during play?
 - (B) Does the "coins out" designation include any Credits paid into the machine as well as actual Payouts?
 - (C) Does the "coins out" designation include any "Jackpot" winnings in which the player received a W-2G for such winnings (i.e., \$1,600; \$3,000; etc.)?
3. A history of dates which Abe Jones, Jr. (Social Security #587-34-5613) and/or Etta Jones OR Etta Blackwell (Social Security # 587-45-4586), were registered guests at the Silver Star Hotel, indicating the following:
 - (A) The type of rooms rented to Mr. and Mrs. Jones;
 - (B) The dates of such registration;
 - (C) The rates charges, if any, and the manner of payment;
 - (D) If such rooms were "comped," the value of such rooms
If the guests were required to pay, and the basis for Such "comp" (such as: number of dollars played, number Of dollars won, frequency of play; etc.)
 - (E) All additional charges made by Mr. and Mrs. Jones or guests in their registered rooms, including but not limited to room service charges, spa charges, golf charges, retail shop charges, or any type of charges made by Mr. and Mrs. Jones or their guests.

THIS the 24 day of July, 2002.

LARRY ISHEE, Circuit Clerk

By: Charlotte McDonald Deputy

SHERRY L. LOWE, ADA
18th Circuit Court District Attorney's Office
P. O. Box 313
Laurel, MS 39441
601-649-4606

EXHIBIT - E

COPY

IN THE COUNTY COURT OF THE SECOND JUDICIAL DISTRICT
JONES COUNTY, MISSISSIPPI

JONES COUNTY SHERIFF'S DEPARTMENT
AND SOUTHEAST MISS. DRUG TASK FORCE

PLAINTIFF

vs.

CAUSE NO. 2002-211

ABE JONES, JR. and
ETTA JONES

DEFENDANTS

SUBPOENA DUCES TECUM

THE STATE OF MISSISSIPPI

TO: CUSTODIAN OF RECORDS
KIM'S OF LAUREL
1030 Highway 15 North
Laurel, MS 39440

You are hereby commanded to be and appear in the County Courtroom of the County Court of the Second Judicial District of Jones County, in the City of Laurel, State of Mississippi on **August 12, 2002, at 9:00 A.M.**, of the said day, then and there to testify on behalf of the Plaintiffs what you may know in the above entitled matter, and TO HAVE WITH YOU THERE AND THEN the following:

1. A detailed itemization of purchases made by Abe Jones, Jr. (Social Security #587-34-5613), and/or Etta Jones (a/k/a Etta Blackwell), Social Security #587-45-4586), during the year 2001, including but not limited to:
 - (A) a 2000 Pontiac Grand Am automobile (VIN 1G2NF52E7YC528546);
 - (B) a 2000 Pontiac Grand Am Automobile (VIN 1G2NF52TXYM853961);
2. Any other vehicle which may have been purchased by Abe Jones, Jr. and/or Etta Jones during years 1999, 2000, and 2002.

COPY

(D) Any other vehicles owned by Abe Jones, Jr. for which you issued an insurance policy Covering the vehicle, giving a description of The vehicle, the type of coverage provided, And amount of premiums for each year for the years 1999, 2000, 2001, and 2002.

2. A detailed itemization of insurance covering a house located at 115 Andy Knight Road, Soso, MS (or 15 Clarence Knight Road, Soso, MS), owned by Abe Jones, Jr. and Etta Jones, built in the year 2000, giving the amount of coverage on the structure, the amount of coverage on contents, if any, and the premium amounts and dates paid.

THIS the 24 day of July, 2002.

LARRY ISHEE, Circuit Clerk

By: Charlotte McDonald Deputy

SHERRY L. LOWE, ADA
18th Circuit Court District Attorney's Office
P. O. Box 313
Laurel, MS 39441
601-649-4606

EXHIBIT-E

COPY

IN THE COUNTY COURT OF THE SECOND JUDICIAL DISTRICT
JONES COUNTY, MISSISSIPPI

JONES COUNTY SHERIFF'S DEPARTMENT
AND SOUTHEAST MISS. DRUG TASK FORCE

PLAINTIFF

vs.

CAUSE NO. 2002-211

ABE JONES, JR. and
ETTA JONES

DEFENDANTS

SUBPOENA DUCES TECUM

THE STATE OF MISSISSIPPI

TO: JIM CLARK, Agent
STATE FARM INS. COMPANY
96 Hal Crocker Road
Ellisville, MS 39437

You are hereby commanded to be and appear in the County Courtroom of the County Court of the Second Judicial District of Jones County, in the City of Laurel, State of Mississippi on August 12, 2002, at 9:00 A.M., of the said day, then and there to testify on behalf of the Plaintiffs what you may know in the above entitled matter, and TO HAVE WITH YOU THERE AND THEN the following:

1. A detailed itemization of insurance policies insuring Abe Jones, Jr. (Social Security #587-34-5613), and/or Etta Jones (a/k/a Etta Blackwell), Social Security #587-45-4586, during the years 1999, 2000, 2001, and 2002, including but not limited to:
 - (A) a 2000 Pontiac Grand Am automobile (VIN 1G2NF52E7YC528546);
(Purchased 6/2001);
 - (B) a 2000 Pontiac Grand Am Automobile (VIN 1G2NF52TXYM853961);
(Purchased 6/2001);
 - (C) a 2001 Lincoln LLS automobile (VIN 1LNHM87A51Y701314).
(Purchased 6/2001).

COPY

3. Copies of all documents showing the amounts paid for any automobiles purchased, the type of payment made (cash, check, charge, etc.); and all pertinent documents given to Abe Jones, Jr. and/or Etta Jones with regard to such vehicles.

THIS the 24 day of July, 2002.

LARRY ISHEE, Circuit Clerk

By: Charlotte McDonald Deputy

SHERRY L. LOWE, ADA
18th Circuit Court District Attorney's Office
P. O. Box 313
Laurel, MS 39441
601-649-4606

EX-6-2

Mississippi

MS Schedule A -- Itemized Deductions
Schedule B -- Interest & Dividends and Schedule N -- Other Income
1999

Form 80-198-99-8-1-100 Rev. (4/98)

Name JONES JR, ABE

Social Security Number 587-34-5613
Page 1

0	0	90350	0	0	0
6776	0	94868	0	0	90350
0	0	4518	0	0	5873456130
4518	1807	90350	0	90350	
0	0				

For Computer Use Only -- Do Not Write Above This Line

FILE

SCHEDULE A -- Itemized Deductions (From Federal Form 1040 Schedule A, enter the amount from the line indicated)

If the amount of AGI on Form 1040 is more than \$126,600 (more than \$63,300 if married filing separately), you **CANNOT** use this Schedule A. You must use Federal Schedule A and complete the worksheet provided in the instructions on Page 18. In the event you filed using the standard deduction on your Federal Return and wish to itemize for Mississippi purposes, please use Federal Form 1040 Schedule A as a worksheet and transfer the information from the specific lines indicated to this Schedule A.

1. a. Medical and Dental Expenses (Form 1040 Schedule A)
b. AGI from Federal Form 1040: \$ 90350 X 7.5% (.075)
2. Total Taxes Paid (Form 1040 Schedule A)
3. Total Interest Paid (Form 1040 Schedule A)
4. Charitable Contributions (Form 1040 Schedule A)
5. Total Casualty or Theft Loss(es) (Form 1040 Schedule A)
6. a. Employee Expenses & Misc. Deductions Subject to 2% Limitation (Form 1040 Schedule A)
b. AGI from Federal Form 1040: \$ 90350 X 2% (.02)
c. Subtract line 6b from line 6a
7. Miscellaneous Deductions (Including gambling losses) not subject to Federal 2% AGI Limit (Form 1040 Schedule A)
8. Total Itemized Deductions (Add Lines 1c, 2, 3, 4, 5, 6c, and 7.)
9. Total Amount of State Income Tax Included in Line 2 Above (From Form 1040 Schedule A)
10. Mississippi Itemized Deductions -- Subtract Line 9 from Line 8. Enter the amount here and on Form 80-105, Page 1, Line 20 or Form 80-205, Page 1, Line 17a.
11. Mississippi Itemized Deductions (Allowance for Limitation due to AGI over \$126,600) Enter the amount here and on Form 80-105, Page 1, Line 20 or Form 80-205, Page 1, Line 17a.

1.	0
2.	6776
3.	0
4.	4518
5.	0
6.	0
7.	90350
8.	94868
9.	4518
10.	90350
11.	

SCHEDULE B -- Interest and Dividend Income (From Federal Form 1040 Schedule B, enter the amount from the line indicated)

Capital gain distributions received should be reported on Federal SCHEDULE D. Enter the total gains or losses from Schedule D on Form 80-105, Page 2, Line 43 or Form 80-205, Page 2, Line 41. Total interest and dividend amounts on lines 4 & 5 below, from jointly owned accounts, may be split between taxpayer and spouse before the amounts are transferred to Form 80-105, Page 2, Lines 39 and 40, respectively.

	Interest	Dividends
1.	0	
2.	0	
3.	0	
4.	0	
5.	0	
6.	0	
7.	0	

1. Interest Income (Form 1040 Schedule B)
2. Interest from obligations of the U. S. Government included in Line 1 above.
3. Interest on obligations of other countries, states, cities, or political subdivisions **OUTSIDE** Mississippi
4. Total Interest (Line 1 minus Line 2, plus Line 3). Enter here & on Form 80-105, Page 2, Line 30 or Form 80-205, Page 2, Line 38.
5. Total Ordinary Dividends. (Form 1040 Schedule B)
6. Amount of Nontaxable Distributions Reported in Line 5.
7. Ordinary Dividends for Mississippi. (Line 5 minus Line 6) Enter here and on Resident Forms 80-105, Page 2, Line 40 or Non-resident form 80-205, Page 2, Line 37.

SCHEDULE N -- Other Income or Losses and Supplemental Income

1.	90350
2.	0
3.	90350

1. Gambling winnings. (Attach W-2Gs. List all gambling losses on Schedule A, Line 7, above)
2. Other Income loss. List type _____
3. Total other income or loss -- Combine lines 1 and 2. Enter amount here and on Form 80-105, Page 2, Line 47 or Form 80-205, Page 2, Line 44.

EX-6-3

STATEMENT "1" FOR FORM 1040: PAGE 1

PAGE 1 OF 1

NAME: ABE JONES JR

SSN: 587-34-5613

FILE

21. OTHER INCOME:

SLOTS	(T)	5400.
SLOTS	(T)	13200.
SLOTS	(T)	6800.
SLOTS	(T)	8800.
SLOTS	(T)	4800.
SLOTS	(T)	4750.
SLOTS	(T)	7800.
SLOTS	(T)	20400.
SLOTS	(T)	6400.
SLOTS	(T)	12000.
SLOTS		90350.
TOTAL		

EX-H-2

JUL-11-02 03:58 PM GALE YORK

601 582 2024

P2001.340.B

JONES JR

EGB13901.ETR 342

587-34-5613 I2001.01.09

Page 2

SCb40 (2000)

7 and
creditsStandard
Deduction
for Most
PeopleSingle:
\$4,400Head of
household:
\$8,460Married
filing
Jointly or
Qualifying
widow(er):
\$7,360Married filing
separately:
\$3,676Other
Taxes

Payments

If you have a
qualifying
child, attach
Schedule EIC.

0 104012

NTF 81768
Copyright 2000
Galewood/National
(P - Forms
Version Only)

Refund

Have it directly
deposited!
See Inst.
and fill in 67b,
67c, and 67d.

68 Amt. of line 66 you want applied to your 2001 estimated tax ► 68 0

Amount
You Owe

For details on how to pay, see instructions

70 Estimated tax penalty. Also include on line 69 70 0

Sign
HereJoint return?
See instructions.
Keep a copy
for your
records.

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Your signature

Spouse's signature. If a joint return, both must sign Date

34 108418

35a Check if: You were 65/older, Blind; Spouse was 65 or older, Blind. Add the number of boxes checked above and enter the total here ► 35a 0

34 Amount from line 33 (adjusted gross income) 34

35a Check if: You were 65/older, Blind; Spouse was 65 or older, Blind. Add the number of boxes checked above and enter the total here ► 35a 0

b If you are married filing separately and your spouse itemizes deductions, or you were a dual-status alien, see instructions and check here ► 36b 0

36 Enter your itemized deductions from Schedule A, line 2B, or standard deduction shown on the left. But see instructions to find your standard deduction if you checked any box on line 35a or 35b or if someone can claim you as a dependent 36 109096

37 Subtract line 36 from line 34 37 -678

38 If line 34 is \$86,700 or less, multiply \$2,800 by the total number of exemptions claimed on line 6d. If line 34 is over \$86,700, see the worksheet in the instructions for the amount to enter 38 5600

39 Taxable Income. Subtract line 38 from line 37. If line 38 is more than line 37, enter -0- 39 0

40 Tax (see Inst.). Check if any tax is from a Form(s) 8814 b Form 4972 40 0

41 Alternative minimum tax. Attach Form 8851 41 0

42 Add lines 40 and 41 42 0

43 Foreign tax credit. Attach Form 1116 if required 43 0

44 Credit for child & dependent care expenses. Attach Form 2441 44 0

45 Credit for the elderly or the disabled. Attach Schedule R 45 0

46 Education credits. Attach Form 8863 46 0

47 Child tax credit (see instructions) 47 0

48 Adoption credit. Attach Form 8839 48 0

49 Other. Check if from a Form 3800 b Form 8396 c Form 8801 d Form 49 0

50 Add lines 43 through 49. These are your total credits 50 0

51 Subtract line 50 from line 42. If line 50 is more than line 42, enter -0- 51 0

52 Self-employment tax. Attach Schedule SE 52 0

53 Social security and Medicare tax on tip income not reported to employer. Attach Form 4137 53 0

54 Tax on IRAs, other retirement plans, and MSAs. Attach Form 5329 if required 54 0

55 Advance earned income credit payments from Form(s) W-2 55 0

56 Household employment taxes. Attach Schedule H 56 0

57 Add lines 51 through 56. This is your total tax 57 0

58 Federal income tax withheld from Forms W-2 and 1099 58 0

59 2000 estimated tax payments & amt. applied from 1999 return 59 0

60a Earned income credit (EIC) 60a 0

b Nontaxable earned income amt. ► NO 61 0

c Type ► NO 62 0

61 Excess social security and RRTA tax withheld (see instructions) 61 0

62 Additional child tax credit. Attach Form 8812 62 0

63 Amount paid with request for extension to file (see instructions) 63 0

64 Other payments. Check if from a Form 2439 b Form 4136 64 0

65 Add lines 58, 59, 60a, and 61 through 64. These are your total payments 65 0

66 If line 65 is more than line 57, subtract line 57 from line 65. This is the amount you overpaid 66 0

67a Amount of line 66 you want refunded to you 67a 0

b Routing no. ► C Type: Checking Savings 67a 0

c Account no. 67a 0

68 Amt. of line 66 you want applied to your 2001 estimated tax ► 68 0

69 If line 67 is more than line 66, subtract line 65 from line 67. This is the amount you owe 69 0

70 Estimated tax penalty. Also include on line 69 70 0

Sign
HereJoint return?
See instructions.Keep a copy
for your
records.Preparer's
signature ►

Date

Check if
self-employed

Preparer's SSN or PTIN

EXHIBIT - I - I

C EF



MS **Mississippi**
Resident Individual Income Tax Return
2001

For Official Use Only
 34 1 1

ISB

801050151106

Page 1 of 2

Form 80-105-01-5-1-106 (Rev. 5/01)

N 34	1500	0	0	0	0
N 1	12000	152975	152974	0	0
N 1	13500	6750	6750	15299	15299
N 0	0	0	0	15299	0
1	0	0	0	0	0
	0	0	15299	0	0
	0	0	0	0	0
					5873456130
► JONES JR JONES	ABE		ETTA M		5874545865
► P O BOX 231					2001
► SOSO	MS 39480				

FILE
For Computer Use Only - Do Not Write Above This Line

1. X Married - Combined or Joint Return - Enter \$12,000 on Line 12.
2. Married - Spouse Died in 2001 - Enter \$12,000 on Line 12.
3. Married - Filing Separate Returns - Enter \$12,000 on Line 12.
- Spouse's name & SSN
4. Head of Family - Enter \$8,000 on Line 12. Provide Name, SSN, and Relationship of the Dependent Living in the Home with You on Line 6.
5. Single - Enter \$6,000 on Line 12.
6. Dependents (Do NOT Claim Yourself or Your Spouse)

(a) Name ANTWAN J JONES	(b) Dependent's SSN 425-49-0552	(c) Relationship SON
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County Code	34
Your SSN	587-34-5613
Spouse SSN	587-45-4586
Your Occupation	UNEMPLOYED
Spouse's Occupation	HOUSEWIFE
8. Number of Dependents Listed on Line 6	8. 1
9. Number of Boxes Marked "X" on Line 7	9.
10. Total of Line 8 plus Line 9.	10. 1
11. Line 10 x \$ 1,500 =	11. 1,500
12. Enter Amount from Lines 1 - 5.	12. 12000
13. Total (Line 11 plus 12).	13. 13500

7. Mark "X" if Taxpayer Age 65 or Over Taxpayer Blind Spouse Age 65 or Over Spouse Blind
15. Wages, salaries, tips, etc. (Attach W-2s.)
16. Other Income (Amount from Line 45, Page 2 of this Form.)
17. Adjustments to Gross Income (Amount from Line 54, Page 2 of this Form.)

14. If Married-Filing Separate Returns, Enter 1/2 of Line 13.	14. Column A (Taxpayer)	Column B (Spouse)
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18. Mississippi Adjusted Gross Income (Ln 15 plus Line 16 minus Ln 17). ►(P) 0 18. ►(B) 0
19. Standard or Itemized Deductions (If Itemized, see Sch A, Form 80-135.) ►(F) 152,975 19. ►(H) 152,974
20. Amount of Exemption (Line 13 or Line 14 if Married Filing Separately.) 6,750 20. 6,750
21. Mississippi Taxable Income (Line 18 Less Lines 19 and 20). See Instructions. If less than 0, enter 0. 0 21. 0
22. Total Income Tax Due (From Schedule of Tax Computation, Page 2 of this form) 22. 15,299
23. Mississippi Income Tax Withheld (Attach W-2s or W-2Gs.) 23. ►(W) 15,299
24. 2001 Estimated Tax Payments and/or Amount Paid with Extension 24. ►(E)
25. Credit for Income Tax Paid to Another State (Attach Copy of Return filed with other States.) 25. ►(S)
26. Other Credit (From Form 80-135, Page 2, Part 1, Line H.) 26. ►(O)
27. Total Credits (Add Lines 23 through 26.) 27. 15,299
28. If Line 27 is Larger than Line 22, Enter the Amount of Overpayment. OVERPAYMENT 28. 15,299
29. Amount of Overpayment to be Applied to Your 2002 Estimated Tax Account. 29. ►(C)

Voluntary Contribution Check-offs (From Form 80-135, Page 2, Part 2)

30. ►(L) ►(M) ►(K) ►(Z) 30. 15,299
31. Amount of Overpayment to be Refunded to You (Subtract Lines 29 and 30 from Line 28.) REFUND 31. ►(R) 31. ►(R)
32. If Line 22 Is Larger Than Line 27, Enter Balance Due. BALANCE DUE 32. 33. ►(I)
33. Interest on Underpayment of Estimated Tax Payments (Attach Form 80-320.) 34. ►(T)
34. Interest and Penalty (See Instructions)